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IN THE UNITED STATES DISTRICT COURT  
  
DISTRICT OF UTAH, CENTRAL DIVISION

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UNITED STATES OF AMERICA,  Plaintiff,  v.  JUSTIN DEE ADAMS,  Defendant.	Case No. 2:22-cr-419  UNITED STATES MOTION IN LIMINE TO EXCLUDE EVIDENCE OF DEFENDANT'S MEDICAL HISTORY OR CONDITIONS
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Defendant has stated in hearings in this case that he suffered a brain injury and as a result has epilepsy or other neurological conditions. The United States moves under Rules 401 and 403 of the Federal Rules of Evidence to exclude this information from trial as irrelevant to any material issue or, to the extent relevant, unduly prejudicial and confuses the issues. The introduction of such evidence would appear more calculated to elicit sympathy than to prove or disprove any material fact and may cause the jury to speculate about defenses that have not been raised and do not apply. *See, e.g., United States v. Martinez*, 929 F. 3d 806, 814-15 (10<sup>th</sup> Cir. 2019) (approving exclusion of mental health history because it appeared to be an effort to elicit sympathy); *United States v. Luck*, 741 F. 3d 615, 626-27 (6<sup>th</sup> Cir. 2017) (approving exclusion of defendant's prior medical history of leukemia and learning disability as more prejudicial than probative in child pornography case); *United States v. Allerheiligen*, 2000 WL 1055487, \*13 (10<sup>th</sup> Cir Aug. 1, 2000) (unpublished decision) (introduction of

psychiatric evidence will distract the jury from focusing on the actual presence or absence of mens rea).

For these reasons, the United States respectfully requests a ruling excluding the introduction of evidence concerning the Defendant's mental health history.

Respectfully submitted,

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/s/ Carl D. LeSueur  
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